IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HONOURABLE MR JUSTICE BILAL NAZKI

and
THE HONOURABLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION No.7669 of 1994

Between:

M. Gangadhar, S/o. Gangadhar, Hindu, Aged 36 years,

Partner, Associated Mineral Corporation,

R/o. 28/414-B5, Sangameshnagar, Anantapur.

..... PETITIONER

AND

1. The Union of India, Ministry of Steels and Mines,

Central Secretariat, New Delhi, represented by its Secretary.

2. The State of Andhra Pradesh, represented by its Secretary to

Government, Industries and Commerce Department,

Secretariat, Hyderabad.
3. The Director of Mines and Geology, A.P., Hyderabad.

4. The Deputy Director of Mines and Geology, Cuddapah.
5. The Assistant Director of Mines and Geology,Cuddapah.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue an order or direction, more in the nature of Writ of Mandamus, to forbear from giving effect to the assessment in Letter No.444/M1/77, dated 4.7.1993 of the 5th respondent on the petitioner by declaring that the Mineral Validation Act (Act 16 of 1992) is unconstitutional.

Counsel for the Petitioner: MR. K. Dwarakanath

Counsel for the Respondent Nos.2 to 5: GP FOR INDUSTRIES & COMMERCE

Counsel for the Respondent No.1: None appeared.

The Court made the following:

ORDER: (Per Hon'ble Mr. Justice Bilal Nazki)

Heard learned Counsel for the parties.

As the matter is covered by the judgment of the Supreme Court reported in **District Mining Officer v. Tata Iron and Seel Company**, we set aside the impugned Letter dated 4.7.1993 and allow the writ petition. No costs.

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BILAL NAZKI, J

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S. ANANDA REDDY, J

Date : August 16, 2004.

YS

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Monday, the sixteenth day of August Two thousand and Four.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Ministry of Steels and Mines, Union of India,

Central Secretariat, New Delhi.

2 The Secretary, Industries and Commerce Department,

Government of Andhra Pradesh, Secretariat, Hyderabad.

3 The Director of Mines and Geology, Andhra Pradesh, Hyderabad.
4 The Deputy Director of Mines and Geology, Cuddapah.
5 The Assistant Director of Mines and Geology, Cuddapah.
6 Two CCs to the Government Pleader for Industries and Commerce,

High Court of Andhra Pradesh, Hyderabd.

7 Two C.D. copies.